

*See AO 2005-73(S)*

Submitted by: Chair of the Assembly at  
the Request of the Mayor  
Prepared by: Planning Department  
For reading: May 31, 2005

ANCHORAGE, ALASKA  
AO No. 2005- 73

1 AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER 21.05 TO  
2 ADD A NEW SECTION FOR CREATING AND ADOPTING A NEIGHBORHOOD OR  
3 DISTRICT PLAN.

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4  
5 THE ANCHORAGE ASSEMBLY ORDAINS:

6  
7 **Section 1:** Anchorage Municipal Code chapter 21.05 is amended by adding a new section as  
8 follows (*the remainder of the chapter is not affected, and therefore not set out*):  
9

10 **21.05.055** **Procedure for creating and adopting a neighborhood or district**  
11 **plan.**  
12

13 A. Purpose and Authority.

- 14  
15 1. *Purpose.* Neighborhood or district plans shall be guided by the  
16 elements of the Comprehensive Plan, as defined in section 21.05.030.  
17 Neighborhood or district plans should give specificity to the goals,  
18 objectives, policies, and strategies of the Comprehensive Plan. These  
19 plans shall supplement and elaborate on, not replace, the Comprehensive  
20 Plan. The goal of a neighborhood or district plan is to promote the  
21 orderly growth, improvement, and future development of the  
22 neighborhood, community, or municipality.  
23  
24 2. *Authority.* These procedures and minimum standards are established for  
25 the creation and review of plans for the development, growth, and  
26 improvement of the municipality, its neighborhoods and communities.  
27 The plans may be sponsored by the Mayor, the Assembly, the Planning  
28 and Zoning Commission (the "Commission"), the Planning Department  
29 (the "Department"), any Community Council or group of Councils, or  
30 other groups or organizations representing the broad public interest  
31 recognized by the Assembly to sponsor a neighborhood or district plan  
32 (hereafter called the "sponsor").  
33  
34 3. *Policy Guidance.* An adopted plan shall be an element of the  
35 Comprehensive Plan and shall serve as a policy to guide subsequent  
36 actions by municipal agencies. The Assembly and the Commission shall  
37 consider adopted plans in review of land use, zoning actions, and capital  
38 improvement programs, where consideration is consistent with the  
39 Charter, the Comprehensive Plan, and general law. Agencies shall  
40 consider adopted neighborhood or district plans as guidance for actions,

whether or not actions are subject to Commission review. The existence of an adopted neighborhood or district plan shall not preclude any municipal agency from developing other plans or taking actions not contemplated in the neighborhood or district plan affecting the same geographic area or subject matter.

B. Plan Submission.

1. *Initiation Meeting.* The sponsor of a plan shall meet with the Department at the initiation of the planning process to discuss and clarify content requirements, scheduling, and other relevant issues. Periodically, the Department shall report to the Commission on the progress of neighborhood or district plans underway.
2. *Work Program.* Following the Initiation Meeting, the sponsor shall prepare a Work Program which shall be submitted to the Department for approval. The Work Program shall include a project schedule, a proposed Table of Contents, a proposed public participation plan, and at least three milestones at which times the sponsor shall meet with the Department.
3. *Submission.* Twenty (20) printed copies along with an electronic version of all proposed plans shall be submitted to the Planning Department, 4700 Bragaw Street, Anchorage, Alaska 99507. The submission shall include the name(s) and address(es) of the person(s) designated by the sponsor to be its representative(s) in any discussions of the plan.

C. Threshold Review and Determination.

1. *Department Review and Determination.* Within sixty (60) days of the submission of a plan, the Department shall review the plan and determine whether the plan meets the standards for form, content and for consistency with sound planning, as set forth in subsection D.1. below.
  - a. If the Department determines that the plan does meet the threshold standards of subsection D.1.d., the Department shall distribute the plan for public review and Commission public hearing as described in subsection E.1.
  - b. If the Department determines the plan does not meet the threshold standards of subsection D.1., the staff shall provide written notification to the sponsor of all deficiencies with respect to form, content, process and any changes, additions or deletions which, in the opinion of the staff, may correct such deficiencies. The sponsor may indicate its willingness to make such changes, additions, or deletions. In the alternative, the sponsor may

request the plan be presented without change to the Commission for public review and public hearing.

2. *Coordination of Plan Review.* The Department may determine, despite a finding of appropriate form, content and sound planning policy, a proposed plan should not immediately proceed, due to other planning efforts underway which should be coordinated with the plan. In such a case, the Department shall work with the sponsor and any other interested agencies in developing an appropriate timetable and strategy to avoid undue delay in distributing the plan for public review and Commission public hearings.

D. Standards.

1. *Form and Content.* The form and content of all proposed plans shall be consistent with the following:
  - a. The plan shall state its sponsoring entity or entities.
  - b. A plan shall enhance or implement goals, objectives, policies, and/or strategies of the Comprehensive Plan and provide further detail and specificity. A plan may take the form of a master plan or targeted plan.
    - (1) A master plan for a neighborhood, district, or other geographic area of the municipality may combine elements related to housing, industrial and commercial uses, transportation, land use regulation, open space, recreation, health, economic vitality, community facilities and other infrastructure.
    - (2) A targeted plan may consider one or a small number of elements of neighborhood, district, or municipal-wide problems or needs, and shall focus on issues related to the use, development, and improvement of land within the plan study area.
  - c. A plan shall not be limited to a single zoning district or a specific parcel in private ownership. A plan shall cover an identifiable, cohesive geographic area or neighborhood.
  - d. Plans shall be presented in clear language and coherent form with elements, chapters, or sections organized in logical sequence.
  - e. Plans shall state goals, objectives, or purposes clearly and succinctly. Policy statements or recommendations shall contain

documentation and explanation of the data, analysis, or rationale underlying each. Plans shall analyze and propose policies to address identified problems.

f. A plan shall contain, as applicable:

- (1) Inventories or description and analysis of existing conditions, problems, or needs; projections of future conditions, problems, or needs; and recommended goals and strategies to address those conditions, problems, or needs.
- (2) Alternatively, or concomitantly with the elements described above, a plan may also contain a vision for a future end state and a strategy(ies) for achieving it.

The level of detail and analysis shall be appropriate to the goals and recommendations presented in the plan. The information and analysis relied upon to support the recommendations shall be sufficiently identified to facilitate later plan review, including accuracy and validity of the information and analysis. Supporting information may be contained in the form of narrative, maps, charts, tables, technical appendices or the like.

g. A plan shall contain a land use plan map for the geographic area encompassed by the plan. The land use plan map shall propose appropriate land use categories, which generally include: residential, commercial, industrial, institutional, transportation, community facilities, parks, and natural open space. The land use plan map may provide more specificity than the general categories.

h. Plans shall be accompanied by documentation showing public participation in the plan formulation and preparation. Public outreach, such as surveys, workshops, hearings, or technical advisory committees, is recommended as a tool for community support and consensus, in addition to Department, Commission, and Assembly approval.

## 2. Sound Planning Policy.

a. All plans, regardless of form and content, shall include discussion of:

- (1) Its long-range consequences;

- (2) Impact on economic and housing opportunity for all persons, particularly low- and moderate-income, and persons with disabilities;
- (3) provision of future growth and development opportunities;
- (4) ability to improve the physical environment; and
- (5) effect on the geographic distribution of municipal facilities.

- b. A plan shall set forth goals, objectives, purposes, policies, strategies, and/or recommendations within the legal authority of the municipality.
- c. A plan considering issues under the jurisdiction of specific municipal or state agencies shall disclose all agency comments.
- d. A plan shall analyze its relationship to applicable policy documents, including all adopted elements of the Comprehensive Plan, as well as its relationship to adjoining neighborhoods and other areas.
- e. A plan shall solicit input from residents, local businesses, agencies and non-profit organizations local to the neighborhood and demonstrate it has considered these comments on their merits.

E. Plan Distribution and Review.

1. *Plan Distribution.* When, pursuant to subsection C.1. above, a plan is ready for public review, the Department shall, within thirty (30) days of its determination, provide copies of the plan simultaneously to all municipal and state agencies with jurisdiction over elements of the plan, and to all Community Councils. The Department shall also make copies available to the general public at City Hall and the Planning & Development Center, and post the plan on the Department website.
2. *Public, Agency, and Community Council Review.* Each Community Council may conduct its own review of the plan. Within a period of seventy-five (75) days following receipt of the plan, the Community Council may provide written recommendation(s) to the Department and the sponsor.

Members of the public and other municipal or state agencies may provide written comments to the Department during the seventy-five (75) day review period.

3. *Department Review.* When the Department is not the sponsor of a plan, it shall review the plan during the seventy-five (75) day review period, and prepare a staff report and recommendation for the Commission. The Department shall consider the neighborhood, community, and municipal-wide impacts and the long-term effects of the actions or policies recommended by the plan. The Department shall also consider the impact of the plan on economic and housing opportunity, future growth and development, and the physical environment, including the consistency of the plan with other adopted plans.

F. Planning and Zoning Commission Review.

1. *Schedule for Review.* During the seventy-five (75) day review period, the Commission shall schedule a public hearing within thirty (30) days following the final day of the public review period.
2. *Public Hearing.* Notice of the public hearing shall be given in accordance with section 21.15.005.
3. *Commission Recommendation.* The Commission shall vote, within sixty (60) days following the close of the public hearing, to recommend approval, approval with modifications, remand to the sponsor, or disapproval of the plan. In reviewing the substance of the plan, the Commission shall consider the neighborhood, community, and municipal-wide impacts and the potential long-term effects from the actions or policies recommended by the plan. The Commission shall consider the impact of the plan on economic and housing opportunity, future growth and development, and the physical environment, including consistency of the plan with other adopted plans, and any other pertinent adopted neighborhood or district plans. Any modifications recommended by the Commission shall be consistent with the standards for form, content and sound planning policy, as set out in subsection D.1. above.
4. *Commission Findings.* The Commission's recommendation shall include findings describing its considerations and providing explanation for its determination. The findings may include recommendations for the implementation of plan elements. The recommendation shall be transmitted to the Assembly for final approval.

G. Assembly Adoption.

1. *Transmission to Assembly.* The Commission's recommendation shall be transmitted to the Assembly for introduction within forty-five (45) days of the Commission recommendation. The Assembly shall schedule a public hearing not more than forty-five (45) days after introduction.

2. *Public Hearing.* Notice of the public hearing shall be provided and the hearing conducted in accordance with chapter 2.30.

3. *Assembly Decision.* Within forty-five (45) days of the close of the public hearing, the Assembly shall either:

- a. adopt the plan;
- b. adopt the plan with modifications;
- c. remand the plan to the Commission; or
- d. not adopt the plan.

If the Assembly adopts the plan with modifications, the modifications shall be consistent with the standards for form, content and sound planning policy, as set out in subsection D.1. above. If the plan is adopted, either as proposed or with modifications, it shall become an element of the Comprehensive Plan as described in section 21.05.030.

H. Review and Revision.

1. *Revision of Plans.* A plan shall be reviewed by the Department once every ten (10) years, to determine if the plan is consistent with economic and demographic trends, recent and proposed land use decisions, and adopted studies and plans. If the sponsor shows a major change of circumstances in the neighborhood or district, the sponsor may request a review of the plan before the end of any ten-year period. Any revisions shall be presented for adoption as an amendment to the plan, in accordance with the procedures set forth herein.

**Section 2:** This ordinance shall become effective immediately upon its passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day of \_\_\_\_\_ 2005.

\_\_\_\_\_  
Chair

ATTEST:

\_\_\_\_\_  
Municipal Clerk

**MUNICIPALITY OF ANCHORAGE**  
**Summary of Economic Effects -- General Government**

AO Number: 2005- 73

Title: AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER 21.05  
TO ADD A NEW SECTION FOR CREATING AND ADOPTING A NEIGHBORHOOD  
OR DISTRICT PLAN. (PZC Case 2005-039)

Sponsor:

Preparing Agency: Planning Department

Others Impacted:

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**CHANGES IN EXPENDITURES AND REVENUES:**

(In Thousands of Dollars)

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|                               | <u>FY05</u> | <u>FY06</u> | <u>FY07</u> | <u>FY08</u> | <u>FY09</u> |
|-------------------------------|-------------|-------------|-------------|-------------|-------------|
| <b>Operating Expenditures</b> |             |             |             |             |             |
| 1000 Personal Services        |             |             |             |             |             |
| 2000 Non-Labor                |             |             |             |             |             |
| 3900 Contributions            |             |             |             |             |             |
| 4000 Debt Service             |             |             |             |             |             |
| <b>TOTAL DIRECT COSTS:</b>    | <u>\$ -</u> | <u>\$ -</u> | <u>\$ -</u> | <u>\$ -</u> | <u>\$ -</u> |
| Add: 6000 Charges from Others |             |             |             |             |             |
| Less: 7000 Charges to Others  |             |             |             |             |             |
| <b>FUNCTION COST:</b>         | <u>\$ -</u> | <u>\$ -</u> | <u>\$ -</u> | <u>\$ -</u> | <u>\$ -</u> |

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**REVENUES:**

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**CAPITAL:**

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**POSITIONS: FT/PT and Temp**

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**PUBLIC SECTOR ECONOMIC EFFECTS:**

Approval of this amendment should have no significant economic impact on the public sector.

**PRIVATE SECTOR ECONOMIC EFFECTS:**

Approval of this amendment should have no significant economic impact on the private sector.

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Prepared by: Cathy Hammond, Physical Planning Supervisor

Telephone: 343-7920





# MUNICIPALITY OF ANCHORAGE

## ASSEMBLY MEMORANDUM

No. AM 369 -2005

Meeting Date: May 31, 2005

**From: MAYOR**

**Subject: AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE  
CHAPTER 21.05 TO ADD A NEW SECTION FOR CREATING AND  
ADOPTING A NEIGHBORHOOD OR DISTRICT PLAN**

This ordinance would enact a new section to Title 21 to provide a process and standards for the creation, review, and adoption of neighborhood and district plans. One of the key implementation strategies of the *Anchorage 2020 – Anchorage Bowl Comprehensive Plan* is the completion and adoption of neighborhood or district plans. Various community councils have expressed interest in initiating a neighborhood or district planning process; however the existing Title 21 doesn't contain standards regarding how to proceed in initiating this process or what information needs to be included in these plans. The draft ordinance addresses these issues and contains the following main features:

1. A description of who may sponsor a neighborhood or district plan;
2. The process by which such a plan shall be created, reviewed, and adopted; and,
3. Form and content with which all plans shall be consistent.

THE PROPOSED ORDINANCE WAS HEARD BY THE PLANNING & ZONING COMMISSION ON APRIL 4, 2005. THE ADMINISTRATION CONCURS WITH THE RECOMMENDATIONS OF THE PLANNING AND ZONING COMMISSION AND RECOMMENDS ADOPTION OF THIS ORDINANCE.

Prepared by: Tom Nelson, Director, Planning Department  
Concurred by: Mary Jane Michael, Executive Director  
Office of Economic and Community Development  
Concurred by: Denis C. LeBlanc, Municipal Manager  
Respectfully submitted: Mark Begich, Mayor

Attachments: 1. Planning and Zoning Commission Resolution 2005-017  
2. Planning and Zoning Commission April 4, 2005 Minutes  
3. Planning and Zoning Commission Staff Report of April 4, 2005

# **Attachments to AO/AM**

## **Planning and Zoning Commission Case 2005-039**

*Proposed Ordinance Creating and Adopting a Neighborhood or District Plan*

|   | <b>Description</b>   | <b>Page</b> |
|---|--|-------------|
| 1 | Planning and Zoning Commission Resolution No. 2005-017       | 1           |
| 2 | Planning and Zoning Commission April 4, 2005 Minutes         | 10          |
| 3 | Planning and Zoning Commission Staff Report of April 4, 2005 | 16          |

# Attachment 1

## MUNICIPALITY OF ANCHORAGE

### PLANNING AND ZONING COMMISSION RESOLUTION NO. 2005-017

A RESOLUTION RECOMMENDING APPROVAL OF AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER 21.05 TO ADD A NEW SECTION FOR CREATING AND ADOPTING A NEIGHBORHOOD OR DISTRICT PLAN.

(Case 2005-039)

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WHEREAS, one of the key implementation strategies of the *Anchorage 2020 – Anchorage Bowl Comprehensive Plan* is the completion and adoption of neighborhood and district plans; and,

WHEREAS, various community councils have expressed an interest in initiating a neighborhood or district planning process, however Title 21 does not contain standards regarding how to proceed in initiating this process or what information needs to be included in these plans; and,

WHEREAS, in response to these issues, the Planning Department has drafted an ordinance which provides a process and standards for the creation, review, and adoption of neighborhood and district plans.

WHEREAS, the Planning and Zoning Commission held an advertised public hearing on April 4, 2005.

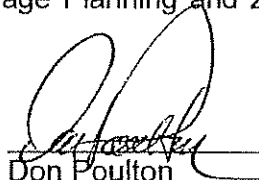
NOW, THEREFORE, BE IT RESOLVED by the Anchorage Planning and Zoning Commission that:

- A. The Commission makes the following findings of fact:
1. There have been no neighborhood plans since the adoption of *Anchorage 2020* and neighborhood and district plans are called for as implementation tools within that plan.
  2. The most needed neighborhood plans, under this ordinance, could begin with community initiative.
  3. This might be a cost and time-efficient method of developing neighborhood or district plans because the focus will be on those issues that are highest priority and will incorporate community resources.
  4. Although there is a keen relationship between transportation systems and land use planning, land use planning efforts should be led by the Planning Department, in concert with other municipal efforts.

5. Authorized entities such as the Planning Department, Planning and Zoning Commission, Assembly, or community councils should bring a plan forward regarding a large piece of undeveloped property because it is best that initiating agencies represent a broad public interest rather than a private interest.
- B. The Commission recommends to the Anchorage Assembly approval of the draft ordinance prepared by Planning Department staff dated April 4, 2005, with the following amendments:
1. Amending subsection A.2, to add the phrase: "representing the broad public interest" before the phrase "recognized by the Assembly";
  2. Amending subsection D.1.b so that items "c" and "d" are renamed and listed under "b";
  3. Amending subsection D.2.a.5 to delete word "fair";
  4. Amending subsection D.2.e. to state: "A plan shall solicit input from residents, local businesses, agencies and non-profit organizations local to the neighborhood and demonstrate it has considered these comments on their merits"; and,
  5. Amending G.1 to delete the phrase: "of approval of the plan or approval with modifications."

PASSED AND APPROVED by the Anchorage Planning and Zoning Commission  
this 4th day of April 2005.

  
\_\_\_\_\_  
Tom Nelson  
Secretary

  
\_\_\_\_\_  
Don Poulton  
Chair

Attachment A: Amended Draft Ordinance

(2004-039)

Anchorage, Alaska  
AO 2005-\_\_\_\_\_

AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER 21.05 TO  
ADD A NEW SECTION FOR CREATING AND ADOPTING A NEIGHBORHOOD OR  
DISTRICT PLAN.

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THE ANCHORAGE ASSEMBLY ORDAINS:

**Section 1:** Anchorage Municipal Code chapter 21.05 is amended by adding a new section as follows (*the remainder of the chapter is not affected, and therefore not set out*):

**21.05.055**     **Procedure for creating and adopting a neighborhood or district plan.**

A.     Purpose and Authority.

1.     *Purpose.* Neighborhood or district plans shall be guided by the elements of the Comprehensive Plan, as defined in section 21.05.030. Neighborhood or district plans should give specificity to the goals, objectives, policies, and strategies of the Comprehensive Plan. These plans shall supplement and elaborate on, not replace, the Comprehensive Plan. The goal of a neighborhood or district plan is to promote the orderly growth, improvement, and future development of the neighborhood, community, or municipality.
2.     *Authority.* These procedures and minimum standards are established for the creation and review of plans for the development, growth, and improvement of the municipality, its neighborhoods and communities. The plans may be sponsored by the Mayor, the Assembly, the Planning and Zoning Commission (the "Commission"), the Planning Department (the "Department"), any Community Council or group of Councils, or other groups or organizations representing the broad public interest recognized by the Assembly to sponsor a neighborhood or district plan (hereafter called the "sponsor").
3.     *Policy Guidance.* An adopted plan shall be an element of the Comprehensive Plan and shall serve as a policy to guide subsequent actions by municipal agencies. The Assembly and the Commission shall consider adopted plans in review of land use, zoning actions, and capital improvement programs, where consideration is consistent with the Charter, the Comprehensive Plan, and general law. Agencies shall consider adopted neighborhood or district plans as guidance for actions, whether or not actions are subject to Commission review. The

existence of an adopted neighborhood or district plan shall not preclude any municipal agency from developing other plans or taking actions not contemplated in the neighborhood or district plan affecting the same geographic area or subject matter.

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2. *Work Program.* Following the Initiation Meeting, the sponsor shall prepare a Work Program which shall be submitted to the Department for approval. The Work Program shall include a project schedule, a proposed Table of Contents, a proposed public participation plan, and at least three milestones at which times the sponsor shall meet with the Department.
3. *Submission.* Twenty (20) printed copies along with an electronic version of all proposed plans shall be submitted to the Planning Department, 4700 Bragaw Street, Anchorage, Alaska 99507. The submission shall include the name(s) and address(es) of the person(s) designated by the sponsor to be its representative(s) in any discussions of the plan.

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1. *Department Review and Determination.* Within sixty (60) days of the submission of a plan, the Department shall review the plan and determine whether the plan meets the standards for form, content and for consistency with sound planning, as set forth in subsection D.1. below.
  - a. If the Department determines that the plan does meet the threshold standards of subsection D.1.d., the Department shall distribute the plan for public review and Commission public hearing as described in subsection E.1.
  - b. If the Department determines the plan does not meet the threshold standards of subsection D.1., the staff shall provide written notification to the sponsor of all deficiencies with respect to form, content, process and any changes, additions or deletions which, in the opinion of the staff, may correct such deficiencies. The sponsor may indicate its willingness to make such changes, additions, or deletions. In the alternative, the

sponsor may request the plan be presented without change to the Commission for public review and public hearing.

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  - a. The plan shall state its sponsoring entity or entities.
  - b. A plan shall enhance or implement goals, objectives, policies, and/or strategies of the Comprehensive Plan and provide further detail and specificity. A plan may take the form of a master plan or targeted plan.
    - ~~e.(1)-~~ A master plan for a neighborhood, district, or other geographic area of the municipality may combine elements related to housing, industrial and commercial uses, transportation, land use regulation, open space, recreation, health, economic vitality, community facilities and other infrastructure.
    - ~~d.(2)-~~ A targeted plan may consider one or a small number of elements of neighborhood, district, or municipal-wide problems or needs, and shall focus on issues related to the use, development, and improvement of land within the plan study area.
  - ~~e.c.~~ A plan shall not be limited to a single zoning district or a specific parcel in private ownership. A plan shall cover an identifiable, cohesive geographic area or neighborhood.
  - ~~f.d.~~ Plans shall be presented in clear language and coherent form with elements, chapters, or sections organized in logical sequence.
  - ~~g.e.~~ Plans shall state goals, objectives, or purposes clearly and succinctly. Policy statements or recommendations shall contain documentation and explanation of the data, analysis, or

rationale underlying each. Plans shall analyze and propose policies to address identified problems.

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- (1) Inventories or description and analysis of existing conditions, problems, or needs; projections of future conditions, problems, or needs; and recommended goals and strategies to address those conditions, problems, or needs.
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i.g. A plan shall contain a land use plan map for the geographic area encompassed by the plan. The land use plan map shall propose appropriate land use categories, which generally include: residential, commercial, industrial, institutional, transportation, community facilities, parks, and natural open space. The land use plan map may provide more specificity than the general categories.

j.h. Plans shall be accompanied by documentation showing public participation in the plan formulation and preparation. Public outreach, such as surveys, workshops, hearings, or technical advisory committees, are recommended as tools for community support and consensus, in addition to Department, Commission, and Assembly approval.

## 2. Sound Planning Policy.

a. All plans, regardless of form and content, shall include discussion of:

- (1) Its long-range consequences;
- (2) Impact on economic and housing opportunity for all persons, particularly low- and moderate-income, and persons with disabilities;
- (3) provision of future growth and development opportunities;



- (4) ability to improve the physical environment; and
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- b. A plan shall set forth goals, objectives, purposes, policies, strategies, and/or recommendations within the legal authority of the municipality.
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Members of the public and other municipal or state agencies may provide written comments to the Department during the seventy-five (75) day review period.

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shall also consider the impact of the plan on economic and housing opportunity, future growth and development, and the physical environment, including the consistency of the plan with other adopted plans.

F. Planning and Zoning Commission Review.

1. *Schedule for Review.* During the seventy-five (75) day review period, the Commission shall schedule a public hearing within thirty (30) days following the final day of the public review period.
2. *Public Hearing.* Notice of the public hearing shall be given in accordance with section 21.15.005.
3. *Commission Recommendation.* The Commission shall vote, within sixty (60) days following the close of the public hearing, to recommend approval, approval with modifications, remand to the sponsor, or disapproval of the plan. In reviewing the substance of the plan, the Commission shall consider the neighborhood, community, and municipal-wide impacts and the potential long-term effects from the actions or policies recommended by the plan. The Commission shall consider the impact of the plan on economic and housing opportunity, future growth and development, and the physical environment, including consistency of the plan with other adopted plans, and any other pertinent adopted neighborhood or district plans. Any modifications recommended by the Commission shall be consistent with the standards for form, content and sound planning policy, as set out in subsection D.1. above.
4. *Commission Findings.* The Commission's recommendation shall include findings describing its considerations and providing explanation for its determination. The findings may include recommendations for the implementation of plan elements. The recommendation shall be transmitted to the Assembly for final approval.

G. Assembly Adoption.

1. *Transmission to Assembly.* The Commission's recommendation of approval of the plan or approval with modifications shall be transmitted to the Assembly for introduction within forty-five (45) days of the Commission recommendation. The Assembly shall schedule a public hearing not more than forty-five (45) days after introduction.
2. *Public Hearing.* Notice of the public hearing shall be provided and the hearing conducted in accordance with chapter 2.30.

3. *Assembly Decision.* Within forty-five (45) days of the close of the public hearing, the Assembly shall either:
  - a. adopt the plan;
  - b. adopt the plan with modifications;
  - c. remand the plan to the Commission; or
  - d. not adopt the plan.

If the Assembly adopts the plan with modifications, the modifications shall be consistent with the standards for form, content and sound planning policy, as set out in subsection D.1. above. If the plan is adopted, either as proposed or with modifications, it shall become an element of the Comprehensive Plan as described in section 21.05.030.

H. Review and Revision.

1. *Revision of Plans.* A plan shall be reviewed by the Department once every ten (10) years, to determine if the plan is consistent with economic and demographic trends, recent and proposed land use decisions, and adopted studies and plans. If the sponsor shows a major change of circumstances in the neighborhood or district, the sponsor may request a review of the plan before the end of any ten-year period. Any revisions shall be presented for adoption as an amendment to the plan, in accordance with the procedures set forth herein.

**Section 2:** This ordinance shall become effective immediately upon its passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day of \_\_\_\_\_ 2005.

\_\_\_\_\_  
Chair

ATTEST:

\_\_\_\_\_  
Municipal Clerk  
Revision: April 4~~March 25~~, 2005

# Attachment 2

PLANNING AND ZONING COMMISSION MEETING  
April 4, 2005

Page 25

~~Main Motion~~

~~AYE: T. Jones, Gibbons, Boulton, G. Jones, Simonian, Lottsfeldt, Isham  
NAY: Pease~~

~~PASSED~~

2.

2005-039

Municipality of Anchorage. An ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Title 21 by adding a Section 21.05.055 Procedure for Creating and Adopting a Neighborhood or District Plan and providing for an effective date.

Staff member DAVE TREMONT stated this ordinance provides a process and standards for the creation, review and adoption of neighborhood and district plans. This ordinance would enact a new section to Title 21. One of the implementation strategies of the Anchorage 2020 Comprehensive Plan is the completion and adoption of neighborhood and district plans. Various community councils have expressed interest in initiating a neighborhood or district planning process, however, the existing Title 21 does not contain guidelines or standards for how to proceed or information on what needs to be included in the plans. The draft ordinance addresses these issues and contains several main features: a description of who may sponsor a neighborhood or district plan; the process by which such a plan shall be created, reviewed and adopted; and the form and content with which all plans shall be consistent. Since a number of community councils have expressed interest in proceeding with the planning process for neighborhood plans, this proposed revision to title 21 is being considered in advance of the overall rewrite of Title 21, which is currently under public review, and targeted for Assembly adoption at the end of 2006.

The State of Alaska Department of Transportation and Public Facilities has recommended more emphasis on transportation as a component of neighborhood plans. In response, the Department recommends retaining the language as presented in the draft ordinance, as the plans are structured to address issues of importance to each neighborhood. The Department will review the initial work programs for the plans and also reviewing the draft plans that result from the process. The Housing and Neighborhood Development Commission approved a motion at their March meeting to endorse this ordinance.

Three comments were raised by the Rabbit Creek Community Council suggesting revisions to three subsections of the draft. The

first Council recommendation is that subsection B.2 includes a public participation plan as part of the work program submitted for Department approval. In response, the Department has proposed wording for B.2 to include "a proposed public participation plan." The Council also recommended that policy guidance be clarified to show that adopted plans have the full weight of the Comprehensive Plan and land use planning. The Council had indicated some amended language in subsection A.3. The Department recommends retaining the current language because it already addresses that an adopted plan shall be an element of the comprehensive plan and shall serve as a policy to guide subsequent actions by municipal agencies. The third comment by the Council is concern that a neighborhood or district plan that has met all the requirements of subsection B should not be required to wait for another planning effort that may be underway. The Council recommended new wording for that section. The Department agreed that a neighborhood or district plan should not be delayed unnecessarily, but the schedule might need to be modified somewhat in order to allow some level of coordination between the planning efforts. Therefore, the Department is recommending language in C.2 to include "to avoid undue delay in distributing the plan for public review and Commission public hearings." There was also a public comment regarding this issue, which is addressed by the new language in C.2. Another public comment was that the draft ordinance is bypassing a more intensive Title 21 rewrite and should be part of the rewrite project. The Department is recommending moving forward with this ordinance because the Title 21 rewrite may not be adopted until the end of 2006. If the neighborhood planning ordinance is adopted, it will be folded into the Title 21 draft and be subject to additional public review. MR. TREMONT stated Section A.2 lists who may sponsor a neighborhood plan and Staff wanted to point out that the "other groups or organizations recognized by the Assembly to sponsor a neighborhood or district plan" is included in the ordinance. Some preliminary comments from the Legal Department indicated concern that there are no criteria how to recognize these groups or organizations.

COMMISSIONER PEASE asked whether the other groups or organizations should be those that represent the broad public interest. She did not want to see a group that was too narrowly composed be given this ability without some responsibility to look out for the broad public interest. MR. TREMONT responded that Staff is not sure whether or not to include this language. The intent was to make it inclusive enough that the sponsor could be an organization that takes the initiative to develop a neighborhood plan. He thought perhaps it was appropriate to develop some criteria respecting these groups. COMMISSIONER PEASE felt that an organization such as the Anchorage Downtown Partnership would be appropriate, but there are others that could have a more narrow interest.

COMMISSIONER SIMONIAN agreed with this suggestion because it also reflects the purpose of the ordinance.

COMMISSIONER LOTTSFELDT felt the language was acceptable as stated, but noted that many people think the Anchorage Downtown Partnership has a narrow purpose because it supports merchants and creating economic activity in downtown.

COMMISSIONER G. JONES agreed with Commissioner Lottsfeldt's comment and suggested adding a phrase that the group has to be recognized/ authorized by the Assembly before they could submit a work plan to develop a plan. For instance, he could envision that the owner of a large block of land could want to create a neighborhood and use the method outlined in the ordinance to do that.

COMMISSIONER T. JONES noted that paragraph F.3 requires that the Commission vote within 60 days of closing the public hearing, paragraph F.4 requires that the Commission's recommendation include findings describing considerations and providing explanation for its determination. Paragraph G.1 indicates that the Commission's recommendation of approval of the plan or approval with modifications shall be transmitted to the Assembly. There is no language indicating what happens if the Commission does not approve the plan; she asked whether or not it would be forwarded to the Assembly. She noted that there are proposed changes in Title 21 regarding the appeal process, which gave rise to this question. MS. CHAMBERS stated that ordinances are generally forwarded to the Assembly. A plan amendment was recently brought forward by a member of the public and the Commission recommended denial of that request. The Planning Department consulted with the Law Department whether plan amendments and ordinances would automatically be forwarded to the Assembly after Commission denial; they replied this is the case. COMMISSIONER T. JONES asked if paragraph G.1 should delete "of approval of the plan or approval with modifications." MS. CHAMBERS was not sure what is the intent of G.1. She stated that the Department understands that cases such as plans will go forward if the Commission denies.

COMMISSIONER PEASE suggested that item D.1.c and d be subsections of item D.1.b as they set out what comprises a master plan and a target plan. She asked for clarification whether the last sentence of A.3 means the agency can take an action if the neighborhood plan did not provide full direction on it. She felt it would be more clearly stated "taking actions regarding issues not contemplated." She thought the intent was not that the agency change an issue that has been decided, but that the agency can take action on an issue that is not addressed by the plan. MS. CHAMBERS responded that the plan itself is a policy guide and it does not make

the decisions. The plan can exist, but it would not affect policies or guidance on things such as telecommunications or wireless communications, for instance, or road design standards that the plan did not clearly address. COMMISSIONER PEASE indicated this was also her interpretation.

COMMISSIONER PEASE felt the language of item D.2.a.5 on page 9 that plans include a discussion of the effect on the fair geographic distribution of municipal facilities seemed broad and could be more precisely defined. She thought this requirement does not appear to apply to targeted plans. She asked regarding Section E whether it would be too onerous to distribute to all community councils. MS. CHAMBERS explained that the Zoning Division forwards ordinances to all community councils if the reproduction costs are not too high. The Department is aware that all community councils appreciate knowing what is happening in other council areas. She believed the intent of item D.2.a.5 she is to review the distribution of municipal facilities in general; she suggested deleting "fair." COMMISSIONER T. JONES agreed that deleting the word "fair" would be appropriate. In these plans there would be discussion of distribution of municipal facilities within the defined geographic region in concert with the bigger community scheme for municipal facilities.

The public hearing was opened.

DIANNE HOLMES, representing the Rabbit Creek Community Council, stated the Council addressed this issue last month and HALO has given its supports to this ordinance as well. She stated the Southeast Anchorage Community Councils signed a joint resolution two years ago urging completion of the Hillside District Plan to help with the orderly development of vacant land that is rapidly coming into plat. While some funding has been found and a planner has been assigned to the Hillside District Plan project, this ordinance is welcome because it gives residents the assurance they can initiate the process for a neighborhood or district plan, if necessary. The aggressive time frame is valuable, particularly given the growth in some parts of the community. The Council appreciated that the Department had included language regarding a public participation plan, that these plans will have the weight of an adopted plan, and regarding the planning coordination and delay issue. She urged that the Commission include clarification that the "other groups or organizations" referenced in A.2 have wide-based interest. She stated she spends a lot of time before the Commission and while this group is concerned, thoughtful, and takes utmost care in its decisions, its members will not always serve and other members of future commissions might not have the same ethics and ideals, so she urged that the language of the ordinance be extremely clear.

TIM POTTER spoke from the standpoint of an implementer of the proposed ordinance. He stated that Section A.2 makes it clear that the Planning

Department is one of the entities that can bring a plan forward, but it is interesting that the language does not include other municipal agencies such as Traffic Engineering, which has perhaps done more neighborhood plans. He suggested that references to "the Department" should be to any city department. He stated another question that arises is who pays for this planning effort. He noted that Commissioner Jones's remark about a large landholder using this process was legitimate. Using this process would reduce the fee being paid and guarantee timelines through the Department. He was not sure it was advisable to allow this as a process in lieu of, for instance, a PC master plan. He stated the worst case scenario is that this tool will be very popular and many plans will be developed, but there is no money through the Department for Staff to process those plans.

The public hearing was closed.

COMMISSIONER PEASE moved for approval of 2005-039 subject to amending subsection A.2 to add "representing the broad public interest" before and before the phrase "recognized by the Assembly"; amending subsection D.1.b so that item "c" and "d" become subsections of "b"; amending subsection D.2.a.5 to delete "fair"; and amending subsection D.2.A.e to state "A plan shall solicit input from residents, local businesses, agencies and non-profit organizations local to the neighborhood and demonstrate it has considered these comments on their merits." COMMISSIONER SIMONIAN seconded.

COMMISSIONER PEASE felt this was exciting proposal. There have been no neighborhood plans since the adoption of Anchorage 2020 and they are called for as implementation tools for a number of policies within that comprehensive plan. The most needed neighborhood plans, under this ordinance, could begin with community initiative. This might also be a cost-efficient and time-efficient method of developing the plans because the focus will be on those issues that are highest priority and will incorporate community resources. She stated regarding the amendments proposed in her motion that a group with a narrow interest might wish to sponsor a plan and the amended language would guarantee that the public interest is represented. The change to D.1.b is for clarity. She recommended deleting "fair" in subsection D.2.a.5 because she felt plan reviewers can judge fairness based on the geographic distribution discussion offered by the plan sponsor. She felt the final amendment to D.2.A.e ensures that any sponsor considers the input of stakeholders.

COMMISSIONER T. JONES felt that Mr. Potter's point was well taken and, while she recognized the keen relationship between transportation systems and land use planning, she felt it was appropriate that land use planning efforts be led by the Planning Department, in concert with other municipal agencies. With respect to the testimony that this ordinance could be used by a large property owner, she indicated she did not support the notion of individual property owners sponsoring a plan. She noted however that there



would be nothing preventing the other authorized entities, such as the Department, the Planning and Zoning Commission, the Assembly, or community councils from bringing a plan forward on a large piece of undeveloped property. She felt it was best that the initiating agencies represent a broad public interest rather than a private interest.

COMMISSIONER T. JONES moved to amend G.1 to delete "of approval of the plan or approval with modifications." COMMISSIONER G. JONES seconded.

COMMISSIONER T. JONES felt that because the Commission recommends to the Assembly on planning documents, there should be no ambiguity what happens after the Commission takes action, regardless of the action taken.

Amendment

AYE: T. Jones, Gibbons, Poulton, G. Jones, Simonian, Lottsfeldt, Isham,  
Pease

NAY: None

PASSED

Main Motion

AYE: T. Jones, Gibbons, Poulton, G. Jones, Simonian, Lottsfeldt, Isham,  
Pease

NAY: None

PASSED

**3. 2005-037**

Municipality of Anchorage. An Ordinance amending Anchorage Municipal Code Subsection 21.40.180.B.3.b to amend the use of Dwellings in Commercial Structures in the B-3 (General Business) Zoning District.

***POSTPONED INDEFINITELY***

**4. 2005-036**

Municipality of Anchorage. An Ordinance amending Anchorage Municipal Code Subsection 21.50.320.F to amend the Standards for Outdoor Storage or Display Areas in large Retail Establishments to allow Automobile Display Lots.

Staff member ANGELA CHAMBERS explained that the Department recently determined that automobile sales that have retail/wholesale sales in a structure of over 20,000 square feet are subject to the large retail establishment requirements of AMC 21.50.320. That code

# **Attachment 3**

**G.2.**

## ***Municipality of Anchorage***


### **Planning Department**


#### **MEMORANDUM**


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**DATE:** April 4, 2005

**TO:** Planning and Zoning Commission

**THRU:**  Tom Nelson, Director  
Planning Department

**THRU:**  Cathy Hammond, Supervisor  
Physical Planning Division

**FROM:**  David Tremont, Senior Planner  
Physical Planning Division

**SUBJECT:** **Case 2005-039; Draft Ordinance on Procedure for Creating and Adopting a Neighborhood or District Plan**

**ATTACHMENTS:**

1. Draft Neighborhood Planning Ordinance
2. Public Agency Review Comments
3. Review Comments from Community Councils and the General Public

This ordinance provides a process and standards for the creation, review, and adoption of neighborhood and district plans. The ordinance would enact a new section to Title 21.

#### **DISCUSSION:**

One of the key implementation strategies of the *Anchorage 2020 – Anchorage Bowl Comprehensive Plan* is the completion and adoption of neighborhood or district plans. Various community councils have expressed interest in initiating a neighborhood or district planning process, however the existing Title 21 doesn't contain standards regarding how to proceed in initiating this process or what information needs to be included in these plans. The draft ordinance addresses these issues and contains the following main features:

- A description of who may sponsor a neighborhood or district plan;
- The process by which such a plan shall be created, reviewed, and adopted; and,
- Form and content with which all plans shall be consistent.

Since a number of community councils and other organizations have expressed a desire to initiate the neighborhood or district planning process, this proposed revision to Title 21 is being considered in advance of the overall Title 21 rewrite, which is currently under public review and not expected to be adopted by the Assembly until the end of 2006.

The draft ordinance in this packet differs slightly from the draft that was routed for public review in that this draft incorporates editing and formatting revisions recommended by the Municipal Attorney's Office. Other proposed changes to the routed draft, as suggested by public comments, are addressed in the "Public Comments" section below and shown as tracked changes in the attached draft ordinance.

Following is a summary of the contents for each section of the ordinance.

- Subsection A: This subsection lists the purpose of neighborhood or district plans and indicates who may be the sponsor of these plans
- Subsection B: This subsection outlines the plan submittal procedures.
- Subsection C: This subsection lists the procedures for the Planning Department in determining if the plan meets threshold standards in order to continue in the review and adoption process.
- Subsection D: This subsection contains standards for form and content of neighborhood and district plans.
- Subsection E: This subsection contains procedures for plan distribution and review
- Subsection F: This subsection contains procedures for review of a neighborhood or district plan by the Planning and Zoning Commission
- Subsection G: This subsection contains procedures for review and adoption of a neighborhood or district plan by the Assembly
- Subsection H: This subsection provides requirements for review and revision of neighborhood or district plans.

#### **AGENCY COMMENTS:**

The State of Alaska Department of Transportation and Public Facilities recommends more emphasis on transportation as a component of neighborhood plans. The ordinance language allows plans to be tailored to address issues of importance to each neighborhood or district. The Planning Department will review the initial work program for each plan and will review draft plans once they are completed. These reviews will help the Department determine to what extent

transportation issues need to be addressed. In response to the comment, the Department recommends retaining the language as presented in the attached draft ordinance.

In other agency review comments, the Housing and Neighborhood Development Commission approved a motion at its March 9, 2005 meeting to endorse the Neighborhood Planning Ordinance. Five municipal departments indicated they have no comment regarding the proposed ordinance.

#### **PUBLIC COMMENTS:**

The Rabbit Creek Community Council provided comments suggesting revisions to three subsections of the draft ordinance. These suggestions and the Department's response to each follow:

1. Subsection B.2: The Community Council recommends that this subsection should include a public participation plan as part of the work program submitted for department approval.

Department response: The Department agrees with adding a public participation plan as part of the work program. Refer to revised wording in subsection B.2 (Work Program) in the attached ordinance.

2. Subsection A.3: The Community Council recommends that policy guidance should be clarified to show that adopted plans have the full weight of the comprehensive plan in land use planning. The Council recommends replacing "Agencies shall consider adopted neighborhood or district plans as guidance for pertinent action" with the following: "Agencies shall consider adopted neighborhood or district plans as approved policy to be implemented by pertinent actions taken by the agency ..."

Department response: The Department recommends that the current language in this subsection remain unchanged since the Council's concern appears to be addressed in the first sentence of paragraph A.3, which states: "an adopted plan shall be an element of the Comprehensive Plan and shall serve as a policy to guide subsequent actions by municipal agencies".

3. Subsection C.2: The Council is concerned that a neighborhood or district plan which has met all the requirements of subsection B should not be required to stop and wait for other planning efforts that are underway. The Council recommends new wording for this subsection which states: "The Department will be responsible for determining if other planning efforts are underway that may be impacted by the proposed plan and will be responsible to coordinate the plan review with the other agencies or planning groups. The department will include in their analysis and staff report to the Commission any finding based on this coordination."

Department response: The Department agrees that a neighborhood or district planning process should not be delayed unnecessarily until another planning effort is completed, but the schedule may need to be modified to allow some level of coordination between the separate planning efforts. If there is a related planning effort that is initiated after a neighborhood or district plan is ready to enter the public hearing process, the Department will want some coordination to occur between the planning efforts before the neighborhood or district plan enters into the public hearing process. The Commission would also likely ask for this coordination to occur prior to taking action. However, the Department would not want this coordination process to result in significant delays in the neighborhood or district planning process. In response to this concern, the Department has proposed additional wording to subsection C.2 (Refer to Coordination of Plan Review)

4. Other Public Comments Received

One public comment suggests that it is important to clarify or delete the clause that allows other on-going plans to trump neighborhood plans that are in process of completion. As discussed above, the Department is proposing additional wording to subsection C.2 (Coordination of Plan Review) to address this concern.

A second comment from the general public states that this draft ordinance is bypassing the more intensive Title 21 rewrite comment and review process, and should be part of the rewrite project. In response to this concern, the Department is recommending moving forward with this Title 21 revision to allow neighborhood and district planning processes to begin prior to the anticipated adoption of the overall Title 21 rewrite, which may not occur by the end of 2006. Furthermore, when the neighborhood planning ordinance is adopted, its provisions will be incorporated into the most current public review draft of the Title 21 rewrite and subject to additional public review within that process.

**DEPARTMENT RECOMMENDATION:**

This ordinance provides a process and standards for the creation, review, and adoption of neighborhood or district plans. The Department recommends approval of this ordinance.

# ATTACHMENT 1

## **Draft Neighborhood Planning Ordinance**

Submitted by: Chair of the Assembly at the  
Request of the Mayor  
Prepared by: Planning Department  
For reading:

Anchorage, Alaska  
AO 2005-\_\_\_\_\_

AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER 21.05 TO  
ADD A NEW SECTION FOR CREATING AND ADOPTING A NEIGHBORHOOD OR  
DISTRICT PLAN.

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THE ANCHORAGE ASSEMBLY ORDAINS:

**Section 1:** Anchorage Municipal Code chapter 21.05 is amended by adding a new section as follows (*the remainder of the chapter is not affected, and therefore not set out*):

**21.05.055**    **Procedure for creating and adopting a neighborhood or district plan.**

A.    Purpose and Authority.

1.    *Purpose.* Neighborhood or district plans shall be guided by the elements of the Comprehensive Plan, as defined in section 21.05.030. Neighborhood or district plans should give specificity to the goals, objectives, policies, and strategies of the Comprehensive Plan. These plans shall supplement and elaborate on, not replace, the Comprehensive Plan. The goal of a neighborhood or district plan is to promote the orderly growth, improvement, and future development of the neighborhood, community, or municipality.
2.    *Authority.* These procedures and minimum standards are established for the creation and review of plans for the development, growth, and improvement of the municipality, its neighborhoods and communities. The plans may be sponsored by the Mayor, the Assembly, the Planning and Zoning Commission (the "Commission"), the Planning Department (the "Department"), any Community Council or group of Councils, or other groups or organizations recognized by the Assembly to sponsor a neighborhood or district plan (hereafter called the "sponsor").
3.    *Policy Guidance.* An adopted plan shall be an element of the Comprehensive Plan and shall serve as a policy to guide subsequent actions by municipal agencies. The Assembly and the Commission shall consider adopted plans in review of land use, zoning actions, and capital improvement programs, where consideration is consistent with the Charter, the Comprehensive Plan, and general law. Agencies shall consider adopted neighborhood or district plans as guidance for actions, whether or not actions are subject to Commission review. The

existence of an adopted neighborhood or district plan shall not preclude any municipal agency from developing other plans or taking actions not contemplated in the neighborhood or district plan affecting the same geographic area or subject matter.

B. Plan Submission.

1. *Initiation Meeting.* The sponsor of a plan shall meet with the Department at the initiation of the planning process to discuss and clarify content requirements, scheduling, and other relevant issues. Periodically, the Department shall report to the Commission on the progress of neighborhood or district plans underway.
2. *Work Program.* Following the Initiation Meeting, the sponsor shall prepare a Work Program which shall be submitted to the Department for approval. The Work Program shall include a project schedule, a proposed Table of Contents, a proposed public participation plan, and at least three milestones at which times the sponsor shall meet with the Department.
3. *Submission.* Twenty (20) printed copies along with an electronic version of all proposed plans shall be submitted to the Planning Department, 4700 Bragaw Street, Anchorage, Alaska 99507. The submission shall include the name(s) and address(es) of the person(s) designated by the sponsor to be its representative(s) in any discussions of the plan.

C. Threshold Review and Determination.

1. *Department Review and Determination.* Within sixty (60) days of the submission of a plan, the Department shall review the plan and determine whether the plan meets the standards for form, content and for consistency with sound planning, as set forth in subsection D.1. below.
  - a. If the Department determines that the plan does meet the threshold standards of subsection D.1.d., the Department shall distribute the plan for public review and Commission public hearing as described in subsection E.1.
  - b. If the Department determines the plan does not meet the threshold standards of subsection D.1., the staff shall provide written notification to the sponsor of all deficiencies with respect to form, content, process and any changes, additions or deletions which, in the opinion of the staff, may correct such deficiencies. The sponsor may indicate its willingness to make such changes, additions, or deletions. In the alternative, the sponsor may request the plan be presented without change to the Commission for public review and public hearing.



2. *Coordination of Plan Review.* The Department may determine, despite a finding of appropriate form, content and sound planning policy, a proposed plan should not immediately proceed, due to other planning efforts underway which should be coordinated with the plan. In such a case, the Department shall work with the sponsor and any other interested agencies in developing an appropriate timetable and strategy to avoid undue delay in distributing the plan for public review and Commission public hearings.

D. Standards.

1. *Form and Content.* The form and content of all proposed plans shall be consistent with the following:
  - a. The plan shall state its sponsoring entity or entities.
  - b. A plan shall enhance or implement goals, objectives, policies, and/or strategies of the Comprehensive Plan and provide further detail and specificity. A plan may take the form of a master plan or targeted plan.
  - c. A master plan for a neighborhood, district, or other geographic area of the municipality may combine elements related to housing, industrial and commercial uses, transportation, land use regulation, open space, recreation, health, economic vitality, community facilities and other infrastructure.
  - d. A targeted plan may consider one or a small number of elements of neighborhood, district, or municipal-wide problems or needs, and shall focus on issues related to the use, development, and improvement of land within the plan study area.
  - e. A plan shall not be limited to a single zoning district or a specific parcel in private ownership. A plan shall cover an identifiable, cohesive geographic area or neighborhood.
  - f. Plans shall be presented in clear language and coherent form with elements, chapters, or sections organized in logical sequence.
  - g. Plans shall state goals, objectives, or purposes clearly and succinctly. Policy statements or recommendations shall contain documentation and explanation of the data, analysis, or rationale underlying each. Plans shall analyze and propose policies to address identified problems.

- h. A plan shall contain, as applicable:
  - 1. inventories or description and analysis of existing conditions, problems, or needs; projections of future conditions, problems, or needs; and recommended goals and strategies to address those conditions, problems, or needs.
  - 2. Alternatively, or concomitantly with the elements described above, a plan may also contain a vision for a future end state and a strategy(ies) for achieving it.

The level of detail and analysis shall be appropriate to the goals and recommendations presented in the plan. The information and analysis relied upon to support the recommendations shall be sufficiently identified to facilitate later plan review, including accuracy and validity of the information and analysis. Supporting information may be contained in the form of narrative, maps, charts, tables, technical appendices or the like.

- i. A plan shall contain a land use plan map for the geographic area encompassed by the plan. The land use plan map shall propose appropriate land use categories, which generally include: residential, commercial, industrial, institutional, transportation, community facilities, parks, and natural open space. The land use plan map may provide more specificity than the general categories.
- j. Plans shall be accompanied by documentation showing public participation in the plan formulation and preparation. Public outreach, such as surveys, workshops, hearings, or technical advisory committees, are recommended as tools for community support and consensus, in addition to Department, Commission, and Assembly approval.

## 2. Sound Planning Policy.

- a. All plans, regardless of form and content, shall include discussion of:
  - 1. its long-range consequences;
  - 2. impact on economic and housing opportunity for all persons, particularly low- and moderate-income, and persons with disabilities;
  - 3. provision of future growth and development opportunities;
  - 4. ability to improve the physical environment; and
  - 5. effect on the fair geographic distribution of municipal facilities.

- b. A plan shall set forth goals, objectives, purposes, policies, strategies, and/or recommendations within the legal authority of the municipality.
- c. A plan considering issues under the jurisdiction of specific municipal or state agencies shall disclose all agency comments.
- d. A plan shall analyze its relationship to applicable policy documents, including all adopted elements of the Comprehensive Plan, as well as its relationship to adjoining neighborhoods and other areas.
- e. A plan shall solicit input from and consider all comments from residents, local businesses, agencies and non-profit organizations local to the neighborhood.

E. Plan Distribution and Review.

1. *Plan Distribution.* When, pursuant to subsection C.1. above, a plan is ready for public review, the Department shall, within thirty (30) days of its determination, provide copies of the plan simultaneously to all municipal and state agencies with jurisdiction over elements of the plan, and to all Community Councils. The Department shall also make copies available to the general public at City Hall and the Planning & Development Center, and post the plan on the Department website.
2. *Public, Agency, and Community Council Review.* Each Community Council may conduct its own review of the plan. Within a period of seventy-five (75) days following receipt of the plan, the Community Council may provide written recommendation(s) to the Department and the sponsor.

Members of the public and other municipal or state agencies may provide written comments to the Department during the seventy-five (75) day review period.

3. *Department Review.* When the Department is not the sponsor of a plan, it shall review the plan during the seventy-five (75) day review period, and prepare a staff report and recommendation for the Commission. The Department shall consider the neighborhood, community, and municipal-wide impacts and the long-term effects of the actions or policies recommended by the plan. The Department shall also consider the impact of the plan on economic and housing opportunity, future growth and development, and the physical environment, including the consistency of the plan with other adopted plans.

F. Planning and Zoning Commission Review.

1. *Schedule for Review.* During the seventy-five (75) day review period, the Commission shall schedule a public hearing within thirty (30) days following the final day of the public review period.
2. *Public Hearing.* Notice of the public hearing shall be given in accordance with section 21.15.005.
3. *Commission Recommendation.* The Commission shall vote, within sixty (60) days following the close of the public hearing, to recommend approval, approval with modifications, remand to the sponsor, or disapproval of the plan. In reviewing the substance of the plan, the Commission shall consider the neighborhood, community, and municipal-wide impacts and the potential long-term effects from the actions or policies recommended by the plan. The Commission shall consider the impact of the plan on economic and housing opportunity, future growth and development, and the physical environment, including consistency of the plan with other adopted plans, and any other pertinent adopted neighborhood or district plans. Any modifications recommended by the Commission shall be consistent with the standards for form, content and sound planning policy, as set out in subsection D.1. above.
4. *Commission Findings.* The Commission's recommendation shall include findings describing its considerations and providing explanation for its determination. The findings may include recommendations for the implementation of plan elements. The recommendation shall be transmitted to the Assembly for final approval.

G. Assembly Adoption.

1. *Transmission to Assembly.* The Commission's recommendation of approval of the plan or approval with modifications shall be transmitted to the Assembly for introduction within forty-five (45) days of the Commission recommendation. The Assembly shall schedule a public hearing not more than forty-five (45) days after introduction.
2. *Public Hearing.* Notice of the public hearing shall be provided and the hearing conducted in accordance with chapter 2.30.
3. *Assembly Decision.* Within forty-five (45) days of the close of the public hearing, the Assembly shall either:
  - a. adopt the plan;
  - b. adopt the plan with modifications;
  - c. remand the plan to the Commission; or

d. not adopt the plan.

If the Assembly adopts the plan with modifications, the modifications shall be consistent with the standards for form, content and sound planning policy, as set out in subsection D.1. above. If the plan is adopted, either as proposed or with modifications, it shall become an element of the Comprehensive Plan as described in section 21.05.030.

H. Review and Revision.

1. *Revision of Plans.* A plan shall be reviewed by the Department once every ten (10) years, to determine if the plan is consistent with economic and demographic trends, recent and proposed land use decisions, and adopted studies and plans. If the sponsor shows a major change of circumstances in the neighborhood or district, the sponsor may request a review of the plan before the end of any ten-year period. Any revisions shall be presented for adoption as an amendment to the plan, in accordance with the procedures set forth herein.

**Section 2:** This ordinance shall become effective immediately upon its passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day of \_\_\_\_\_ 2005.

\_\_\_\_\_  
Chair

ATTEST:

\_\_\_\_\_  
Municipal Clerk

Revision: March 25, 2005

# ATTACHMENT 2

## Public Agency Comments

**Tremont, David J.**

---

**From:** Reed, Carma E.  
**Sent:** Wednesday, March 16, 2005 11:06 AM  
**To:** Tremont, David J.  
**Cc:** Tim Sullivan (Timothy Sr.) (weedandseed@ak.org)  
**Subject:** HAND Commission Motion

Tom Nelson presented the HAND Commission with the Neighborhood Planning Ordinance at its February 9<sup>th</sup> meeting. Mr. Nelson discussed the intent of the ordinance and asked for the HAND Commission's consideration of it at its next regular meeting. At the March 9<sup>th</sup> meeting, Mr. Nelson returned and after a brief discussion, the HAND Commission approved a motion to endorse the draft Neighborhood Planning Ordinance.

The minutes for the March 9<sup>th</sup> meeting have not yet been submitted, and they won't be approved by the HAND Commission until its next meeting, scheduled in May. Please accept this email as verification of the HAND Commission's support for the draft Neighborhood Planning Ordinance.

Carma E. Reed, Manager  
Community Development Division  
Municipality of Anchorage  
PO Box 196650  
Anchorage, AK 99519-6650

Tel: (907) 343-4881  
Fax: (907) 343-6831  
Email: ReedCE@muni.org

Pierce, Eileen A

---

From: Staff, Alton R.  
Sent: Thursday, March 10, 2005 8:49 AM  
To: Long, Patty R.; Pierce, Eileen A  
Cc: Taylor, Gary A.  
Subject: Platting and Zoning Comments.

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MAR 10 2005  
MUNICIPALITY OF ANCHORAGE  
PLANNING & ZONING DIVISION

The Public Transportation Department has no comment on the following plats:

S10752-2  
S11294-2  
S11336-1  
S11339-1  
S11341  
S11342-1  
S11343-1  
S11344-1  
S11345-1  
S11346-1  
S11347-1  
S11348-1  
S11349-1  
S10651-3  
S11353-1  
S11354-1  
S11355-1  
S11356-1

The Public Transportation Department has no comment on the following zoning cases:

2005- 036  
037  
039  
040  
041  
045

Thank you for the opportunity to review.

**Alton Staff**  
Operations Supervisor  
People Mover  
907-343-8230



Municipality Of Anchorage  
ANCHORAGE WATER & WASTEWATER UTILITY

RECEIVED

FEB 28 2005

MEMORANDUM

MUNICIPALITY OF ANCHORAGE  
PLANNING & ZONING DIVISION

DATE: February 23, 2005  
TO: Zoning and Platting Division, OPDPW  
FROM: Hallie Stewart, Engineering Technician *H Stewart*  
SUBJECT: Planning & Zoning Commission Public hearing April 19, 2005  
AGENCY COMMENTS DUE March 22, 2005

AWWU has reviewed the case material and has the following comment.

**05-039**

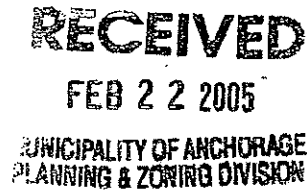
**A request to amend Title 21**

AWWU has no objection to the amendment to the Anchorage Municipal Code Title 21 to add a section 21.05-055 procedure for creating and adopting a neighborhood or district plan and providing for an effective date.

**05-040 The Bridge Salmon Bake and Grill (conditional use) Grid 1230 & 1231**

AWWU has no objection to the proposed plan to allow a restaurant serving alcohol in the PC planned community district.

If you have any questions, please call me at 343-8009 or the AWWU Planning Section at 564-2739.



## FLOOD HAZARD REVIEW SHEET for PLATS

Date: 2-18-05

Case: 2005-039

Flood Hazard Zone: NA

Map Number: NA

☐ Portions of this lot are located in the floodplain as determined by the Federal Emergency Management Agency.

☐ AMC 21.15.020 requires that the following note be placed on the plat:

"Portions of this subdivision are situated within the flood hazard district as it exists on the date hereof. The boundaries of the flood hazard district may be altered from time to time in accordance with the provisions of Section 21.60.020 (Anchorage Municipal Code). All construction activities and any land use within the flood hazard district shall conform to the requirements of Chapter 21.60 (Anchorage Municipal Code)."

☐ A Flood Hazard permit is required for any construction in the floodplain.

☒ I have no comments on this case.

Reviewer: Jack Puff



**MUNICIPALITY OF ANCHORAGE**  
Traffic Department



**MEMORANDUM**

DATE: February 14, 2005  
TO: Jerry T. Weaver, Platting Supervisor, Planning Department  
THRU: Leland R. Coop, Associate Traffic Engineer  
FROM: Mada Angell, Acting Associate Traffic Engineer  
SUBJECT: Comments, April 4, 2005 Planning and Zoning Commission

**RECEIVED**  
FEB 17 2005  
MUNICIPALITY OF ANCHORAGE  
PLANNING & ZONING DIVISION

05-036 An ordinance amending Title 21 for large retail auto sales

Traffic has no comment.

05-037 An ordinance amending Title 21 for residential use in the B-3 zone

Traffic has no comment.

05-039 An ordinance amending Title 21 for neighborhood planning

Traffic has no comment.

## ATTACHMENT 3

### **Comments Received from Community Councils and the General Public**

**RECEIVED****MAR 21 2005**MUNICIPALITY OF ANCHORAGE  
PHYSICAL PLANNING DIVISION**P.O. Box 112354, Anchorage, AK 99511-2354**

March 21, 2005

Physical Planning Division  
Planning Department  
Municipality of Anchorage  
P.O. Box 196650  
Anchorage, AK 99519-6650



**Re: P&Z Case 2005-039 – Draft Ordinance on Procedure for Creating and Adopting a Neighborhood or District Plan**

The Rabbit Creek Community Council (RCCC) board of directors met on March 10, 2005 and approved unanimously the following comments regarding the draft ordinance on Procedures for Creating and Adopting a Neighborhood or District Plan.


The RCCC supports the effort to bring clarity and a process to implementing the design of the Anchorage 2020 – Anchorage Bowl Comprehensive Plan (Comp Plan) constructed to be supported by District and Neighborhood Plans. The Hillside area in particular is severely impacted by the past failure to complete the Comp Plan chartered Hillside District Land Use Plan leaving our large undeveloped tracks of land without the intermediate guidance the Comp Plan anticipated was required to bridge between the Comp Plan and Title 21.

In general we support the proposed ordinance with the following requests for clarification or modification.

1. Section 1.B.2 Work program should include a public participation plan as part of the Work program submitted for department approval.
2. Section 1.A.3. Policy Guidance should be clarified to show that adopted plans have the full weight of the comprehensive plan in land use planning. Consider replacing "Agencies shall consider adopted neighborhood or district plans as guidance for pertinent action..." to *Agencies shall consider adopted neighborhood or district plans as approved policy to be implemented by pertinent actions taken by the agency...*
3. Section 1.B.2. Coordination of Plan Review. Strike this section. This qualifier allowing the department to stop a plan after approval to proceed in section 1.B.3. is out of place. A plan that has met the requirements of section 1.B should be allowed to proceed to a hearing if in proper form and proceed with Commission review. It is inconceivable to think that there will ever be a time when there will be other planning efforts underway that don't require coordination – this should be part of the work program to anticipate those coordination elements, not stop a completed plan before final review. Consider the following replacement language: *The department will be responsible for determining if other planning efforts are*

*underway that may be impacted by the proposed plan and will be responsible to coordinate the plan review with the other agencies or planning groups. The department will included in their analysis and staff report to the Commission any findings based on this coordination.*

We wish to thank the Planning Department for drafting this ordinance and the work done to look for models in other parts of the country that would bring other best practices to Anchorage. We support this effort and look forward the approve of the ordinance as a step towards starting the Hillside District Land use planning effort.



Ky Holland  
President  
Rabbit Creek Community Council

## Zoning and Platting Cases On-line

### View Case Comments

[Submit a Comment](#)

\*\* These comments were submitted by citizens and are part of the public record for the cases \*\*

**Questions?** If you have questions regarding a case, please contact Zoning at **907-343-7943** or Platting & Variances at **907-343-7942**.

1. **Select a Case:**  [View Comments](#)

#### 2. View Comments:

**Case Num:** 2005-039

An ordinance amending Title 21 for Neighborhood Planning

**Site Address:** N/A

**Location:** AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE TITLE 21 BY ADDING A SECTION 21.05.055 PROCEDURE FOR CREATING AND ADOPTING A NEIGHBORHOOD OR DISTRICT PLAN AND PROVIDING FOR AN EFFECTIVE DATE.

[Details](#) | [Staff Report](#) | [submit a comment](#)

### Public Comments

**3/19/05**

Dianne Holmes

The Neighborhood and District Plans are part of the 2020 Plan and yet few are completed, thus impeding the implementation of 2020. This ordinance will allow the neighborhoods to complete their vital plans and have some control on development in their area. However it is important to clarify or delete the clause that allows other on-going plans to trump neighborhood plans that are in process of completion.

**2/14/05**

Lance Duncan

10820 Chain of Rock Street

Eagle River AK 99577-8169

This ordinance addition to Title 21 appears to be attempting to bypass the current overall Title 21 revision process - like this is being snuck in to bypass the more intensive Title 21 rewrite comment and review process. The neighborhood plan procedure is part and parcel of the rewrite, and should not be enacted independently.

[Zoning & Platting Cases On-line website](#)

# STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

CENTRAL REGION - PLANNING

FRANK H. MURKOWSKI, GOVERNOR

4111 AVIATION AVENUE  
P.O. BOX 196900  
ANCHORAGE, ALASKA 99519-6900  
(907) 269-0520 (FAX 269-0521)  
(TTY 269-0473)

March 22, 2005

RE: Zoning Case Review

**RECEIVED**

**MAR 29 2005**

**MUNICIPALITY OF ANCHORAGE  
PLANNING & ZONING DIVISION**

Jerry Weaver, Platting Officer  
Planning and Development  
Municipality of Anchorage  
P.O. Box 196650  
Anchorage, Alaska 99519-6650

Dear Mr. Weaver:

The Alaska Department of Transportation and Public Facilities (ADOT&PF) reviewed the following Zoning Cases and has no comment:

2005-040 Ship Creek Crossing Tract A/Conditional use: restaurant serving alcohol/221 W Ship Creek Ave.

2005-045 Campbell Creek Commercial Park Tract K/5227 Old Seward Hwy: Conditional use: alcohol

2005-046 Wonder Park Tract D Lot D3A/4950 Taku Dr/Variance: appeal

2005-049 Campbell Airstrip Rd Sec 35 T13N R3W SM/ Site plan review: Alaska Botanical Garden

2005-050 University of Alaska Anchorage UAA Seawolf Dr. & Providence Dr/Site plan review: Native Science & Engineering Facility

2005-051 Alyeska Subd North Addn #3 Lot 7 Blk 6 NHN Taos Rd/Zoning to R-11

2005-052 Amend Title 21 for AMC 21.55 Nonconforming uses

2005-053 Amend Title 21 for the sales, dispensing, or service of alcoholic beverages

2005-055 Qdoba Mexican Grill 702 E Benson/Conditional use permit restaurant serving alcohol

## Comments:

2005-039 Amend Title 21 for Neighborhood Planning: This amendment is a positive step for creating healthy and vital neighborhoods in Anchorage. Please consider emphasizing transportation a little more. Creating a grid system of roads along with a hierarchy of road classifications, from local streets to collectors to arterials enhances the ability to provide for other modes of transportation, be it public transit or trails. A transportation network with the appropriate class of road will also provide essential connections within a neighborhood and throughout the Municipality.

2005-041 Bella Vista #2 Lot 31A/919 E Dimond Blvd/Site plan review: auto sales: Please let the applicant know that new ADOT&PF driveway permits are required for access to the Old Seward

*"Providing for the movement of people and goods and the delivery of state services."*





# MUNICIPALITY OF ANCHORAGE

Development Services Department  
Right of Way Division



## MEMORANDUM

**RECEIVED**

**MAR 21 2005**

**MUNICIPALITY OF ANCHORAGE  
PLANNING & ZONING DIVISION**

**DATE:** March 18, 2005  
**TO:** Planning Department, Zoning and Platting Division  
**THRU:** Jack L. Frost, Jr., Right of Way Supervisor *J. L. Frost*  
**FROM:** Lynn McGee, Senior Plan Reviewer *L. McGee*  
**SUBJ:** Request for Comments on Planning and Zoning Commission case(s) for the Meeting of April 4, 2005.

Right of Way has reviewed the following case(s) due March 21, 2005.

**05-039** Ordinance Amendment  
(Title 21 for Adding Section for Creating a Neighborhood or District Plan)  
Right of Way Division has no comments at this time.  
Review time 15 minutes.

**Content Information****Content ID :** 002895**Type:** Ordinance - AO

AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE

**Title:** CHAPTER 21.05 TO ADD A NEW SECTION FOR CREATING AND ADOPTING A **NEIGHBORHOOD OR DISTRICT PLAN****Author:** perrysu**Initiating Dept:** Planning**Description:** Ordinance Creating and Adopting a Neighborhood or District Plan**Keywords:** Neighborhood or District Plans**Date Prepared:** 5/17/05 2:42 PM**Director Name:** Tom Nelson**Assembly Meeting**  
**Date MM/DD/YY:** 5/31/05**Public Hearing**  
**Date MM/DD/YY:** 6/14/05 7/12/05M.O.A.  
2005 MAY 23 PM 2:15  
CLERKS OFFICE**Workflow History**

| <u>Workflow Name</u>     | <u>Action Date</u> | <u>Action</u> | <u>User</u> | <u>Security Group</u> | <u>Content ID</u> |
|--------------------------|--------------------|---------------|-------------|-----------------------|-------------------|
| AllOrdinanceWorkflow     | 5/17/05 2:47 PM    | Checkin       | perrysu     | Public                | 002895            |
| Planning_SubWorkflow     | 5/17/05 6:40 PM    | Approve       | nelsontp    | Public                | 002895            |
| ECD_SubWorkflow          | 5/18/05 2:06 PM    | Approve       | thomasm     | Public                | 002895            |
| OMB_SubWorkflow          | 5/19/05 5:36 PM    | Approve       | mitsonjl    | Public                | 002895            |
| Legal_SubWorkflow        | 5/19/05 5:57 PM    | Approve       | fehlenrl    | Public                | 002895            |
| MuniManager_SubWorkflow  | 5/20/05 8:01 AM    | Approve       | leblancdc   | Public                | 002895            |
| MuniMgrCoord_SubWorkflow | 5/23/05 8:15 AM    | Approve       | abbottmk    | Public                | 002895            |